

**REMARKS**

Claims 1-15 are all the claims pending in the application. Claims 1 and 7 have been amended for clarity and precision of language.

**I. Claim Rejections - 35 U.S.C. § 103**

The Examiner has rejected claims 1, 3-6 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Pham *et al.* (US 5,300,960) [“Pham”] in view of Murayama *et al.* (US 6,130,700) [“Murayama”]. For at least the following reasons, Applicants respectfully traverse the rejection.

Claim 1 recites a driving method for an optical printer that comprises “determining time lengths of lighting the individual light emitting elements in accordance with tonal levels of pixels to print that are represented by the image data; and changing luminance of the respective light emitting elements according a predetermined characteristic curve as the determined lighting time for each pixel elapses.” The Examiner concedes that Pham does not disclose the claimed changing luminance but applies Murayama to allegedly cure the deficiency.

As best understood, the Examiner contends that “the brightness for the light emitting elements LED1-LED4 is changed by varying the exposure duration” and that the luminance of LED1-LED4 simultaneously strikes each dot. Office Action at page 4.

To the extent the Examiner is relying on the simultaneous striking of LED1-LED4 on each dot to support the Examiner’s contentions that the claimed subject matter is disclosed, Applicants submit that Murayama teaches the exact opposite. Murayama clearly discloses

that “[t]he exposure apparatus 20 of this embodiment is not designed such that exposure light from the LED1-LED4 simultaneously strikes each dot.” Col. 18, lines 35-38 (emphasis added).

Applicants also submit that the Examiner is incorrect in contending that “the brightness for the light emitting elements LED1-LED4 is changed by varying the exposure duration.” Varying the exposure duration varies the exposure amount, not the brightness of the LED. Murayama clearly discloses that exposure amount is achieved by multiplying the brightness of the LEDs and the exposure duration (col. 15, lines 25-29). Accordingly, Murayama does not disclose or suggest that changing the exposure duration would change the brightness of the LEDs in its system.

In fact, Murayama discloses that the power control portion, which controls the brightness of the LEDs, is set to a value based on factors such as temperature, sensitivity of the photosensitive sheet and user preference (col. 10, lines 50-62). The photosensitive sheet is then exposed based on the set value for the duration of the exposure (col. 5, lines 65-67). The power control portion dynamically adjusts the voltage or current “to maintain constant brightness” on the LEDs (col. 4, lines 53-60, emphasis added). Therefore, contrary to the Examiner’s contentions, Murayama does not teach that the brightness of the LEDs is changed during exposure. In fact, Murayama teaches the exact opposite.

Accordingly, Pham in view of Murayama does not disclose or suggest “changing luminance of the respective light emitting elements according a predetermined

characteristic curve as the determined lighting time for each pixel elapses,” as set forth in claim 1.

Applicants submit that claims 3-6 and 10 are patentable at least by virtue of their dependency on claim 1.

The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Murayama and further in view of Masubuchi *et al.* (US. 6,262,757) [“Masubuchi”]. For at least the following reason, Applicants respectfully traverse the rejection.

Because Masubuchi does not cure the deficient teachings of Pham in view of Murayama given above with respect to claim 1, Applicants submit that claim 2 is patentable at least by virtue of its dependency on claim 1.

The Examiner has rejected claims 7 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Murayama. For at least the following reason, Applicants respectfully traverse the rejection.

Because independent claim 7 recites features similar to those given above for claim 1 and because the Examiner’s rejection is similar to that given above for claim 1, Applicants submit that claim 7 is patentable for at least reasons similar to those given above with respect to claim 1.

Applicants submit that claim 11 is patentable at least by virtue of its dependency on claim 7.

The Examiner has rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Murayama and further in view of Nakatani (US 6,373,514) [“Nakatani”]. For at least the following reason, Applicants respectfully traverse the rejection.

Because Nakatani does not cure the deficient teachings of Pham in view of Murayama given above with respect to claim 7, Applicants submit that claim 8 is patentable at least by virtue of its dependency on claim 7.

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Pham in view of Murayama and Nakatani and further in view of Masubuchi. For at least the following reason, Applicants respectfully traverse the rejection.

Because Nakatani does not cure the deficient teachings of Pham in view of Murayama and Nakatani given above with respect to claim 8, Applicants submit that claim 9 is patentable at least by virtue of its dependency on claim 8.

## **II. Allowable Subject Matter**

Applicants thank the Examiner for finding allowable subject matter in claims 12-15 and for indicating that these claims would be allowable if rewritten in independent form.

Applicants hold rewriting these claims in abeyance until the subject matter of their respective base claims is resolved.

## **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**Amendment Under 37 C.F.R. § 1.111**  
**U.S. Serial No. 09/715,164**

**Attorney Docket No.: Q61753**

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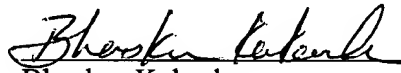
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